

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Prior, et al. v. The Islamic Republic of Iran</i>	19-cv-44 (GBD)(SN) ECF Case

**PLAINTIFFS' NOTICE OF MOTION FOR ENTRY OF PARTIAL
FINAL DEFAULT JUDGMENT ON BEHALF OF
PRIOR PLAINTIFF IDENTIFIED AT EXHIBIT A**
(PRIOR IV)

PLEASE TAKE NOTICE that upon the accompanying declaration of John M. Eubanks, with exhibits, and the accompanying memorandum of law, the Plaintiff identified in Exhibit A to the accompanying declaration of John M. Eubanks, respectfully moves this Court for an Order awarding them (1) compensatory damages for pain and suffering in the same per estate amount previously awarded by this Court regarding other estates of decedents killed in the September 11 attacks; (2) prejudgment interest at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment; (3) permission for the *Prior* plaintiff identified in Exhibit A to seek punitive damages, economic damages, or other damages at a later date; and (4) for all other *Prior* Plaintiffs not appearing on Exhibit A, to submit applications for damages awards in later stages, to the extent such awards have not previously been addressed.¹

¹ Plaintiff recognizes that the Court has taken the position that it “cannot guarantee that it will address motions for default judgment submitted after January 15, 2020 in advance of the February 19, 2020 USVSSTF deadline.” See ECF No. 5765. It is Plaintiff’s hope that the sole additional claim presented here for judgment would not cause the Court undue hardship.

Plaintiff's request is made in connection with the judgment on default as to liability entered against the Islamic Republic of Iran on September 6, 2019. *See* ECF No. 5088.

Dated: January 31, 2020

Respectfully submitted

/s/ John M. Eubanks

John M. Eubanks, Esq.

Robert T. Haefele, Esq.

MOTLEY RICE LLC

28 Bridgeside Blvd.

Mount Pleasant, SC 29464

Tel: 843-216-9000

Fax: 843-216-9450

Email: jeubanks@motleyrice.com

Email: rhaefele@motleyrice.com

Attorneys for the *Prior* Plaintiffs